

JOURNAL

OF

THE SENATE OF TEXAS.

SENATE CHAMBER,
AUSTIN, TEXAS, January 14, 1873.

To-day being set apart by the statute of Texas for assembling the Thirteenth Legislature, in conformity, the Senate, at 12 o'clock M., was called to order by the Hon. Webster Flanagan, President of the Senate. Mr. Burleson was appointed by the President to act as sergeant-at-arms temporarily.

The roll being called by the secretary, the following Senators answered to their names:

H. J. Avinger, T. H. Baker, A. J. Ball, E. T. Broughton, D. W. Cole, J. E. Dillard, E. Dohoney, S. W. Ford, G. P. Finlay, A. J. Fountain, M. Gaines, P. W. Hall, J. L. Henry, H. C. King, H. R. Latimer, W. H. Pyle, E. B. Pickett, H. Rawson, E. T. Randle, G. T. Ruby, W. A. Saylor, J. D. Sayers, N. G. Shelley, J. W. Swift, J. G. Tracy, T. J. Word, Mr. President.

The following Senators were absent:

S. Evans, F. G. Franks, R. P. Tendick.

There being a quorum present, by consent of the Senate the following Senators elect qualified, taking their seats as members of the Thirteenth Legislature:

J. E. Dillard, Third District; Thos. J. Word, Fourth District; J. S. Henry, Sixth District; H. J. Avinger, Eighth District; J. G. Tracy, Fourteenth District; E. T. Randle, Fifteenth District; A. J. Ball, Twenty-third Dis-

trict; G. P. Finlay, Twenty-fourth District; J. D. Sayers, Twenty-sixth District; N. G. Shelley, Twenty-eighth District; H. C. King, Twenty-ninth District.

Prayer by the Rev. Taliaferro.

On motion of Senator Fountain, the Senate adjourned to 12 o'clock M. to-morrow.

SENATE CHAMBER,
AUSTIN, TEXAS, January 15, 1873.

Senate met pursuant to adjournment, President Flanigan presiding. Roll called; quorum present. Prayer by the chaplain.

The President arose in his seat and addressed the Senate as follows:

HON. SENATORS: During the last session of the Twelfth Legislature, after the death of the lamented Honorable Don Campbell, I was called to the Presidency of the Senate. I discharged the duties of that position to the best of my ability, and have ever felt sincerely grateful to the honorable body over which I presided for the courteous and liberal support which I received in my efforts to promote the harmonious dispatch of the public business.

I find now that a difference of opinion exists, even amongst men learned in the law, upon the question whether or not I am now the President of the Senate. I propose to solve this question by a voluntary relinquishment of any claims I may have to that position.

In the midst of the discussion which this subject has received during the last few day, I have kept my own counsel. I know there are those who have expected that I would take advantage of some supposed influence at Washington to make a contest for the presidency of this honorable body. I wish to say distinctly that my self-respect would not permit me to occupy the position of President of the Senate against the wishes of a majority of the Senators, especially when there was some doubt as to the legality of my right to the position.

I have further to say that the position, highly honor-